



Seedorf

09/152,008  
Attorney Docket No.: ALCA1100-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

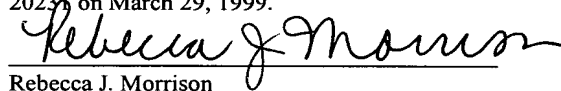
In the Application of: Paul T. Baniewicz  
Serial No. 09/152,008  
Filing Date: September 11, 1998  
Group Art No. 2731  
Title METHOD AND MESSAGE THEREFOR OF  
MONITORING THE SPARE CAPACITY OF A DRA  
NETWORK

**BOX MISSING PARTS**

Assistant Commissioner of Patents  
Washington, D.C. 20231

CERTIFICATION UNDER 37 CFR §1.10

I hereby certify that the documents listed below are being deposited with the United States Postal Service as "Express Mail" in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on March 29, 1999.

  
Rebecca J. Morrison

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

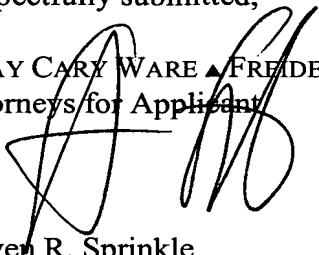
In response to the Notice to File Missing Parts of Application which was granted a Filing Date of September 11, 1998, and mailed to us on September 29, 1998, applicants submit herewith:

1. A copy of the Notice to File Missing Parts of Application;
2. A fully executed Declaration and Power of Attorney;
3. A Notification for Extension of Time; and
4. A Fee Transmittal form.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich, LLP.

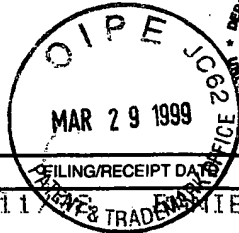
Respectfully submitted,

GRAY CARY WARE & FREIDENRICH, LLP  
Attorneys for Applicant

  
Steven R. Sprinkle  
Registration No. 40,825

Date: March <sup>29</sup>~~19~~, 1999

100 Congress Avenue  
Suite 1440  
Austin, Texas 78701  
(512) 457-7025  
(512) 457-7070



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/152,008	09/11/98	STEVEN R SPRINKLE	P ALCA1100-6

0262/0929

STEVEN R SPRINKLE  
GRAY CARY WARE AND FREIDENRICH  
100 CONGRESS AVENUE  
SUITE 1440  
AUSTIN TX 78701

NOT ASSIGNED

2731

DATE MAILED: 09/29/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application does not comply with the Sequence Rules.

See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

- ☒ 9. OTHER:

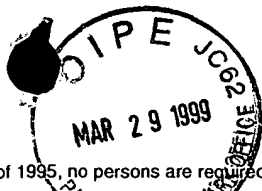
Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 298-1000

9 TLWU11 00000133 500456 09152008

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL</b> <b>for FY 1999</b> <i>Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.</i>	<b>Complete if Known</b>		
	Application Number	09/152,008	
	Filing Date	September 11, 1998	
	First Named Inventor	Paul T. Baniewicz, et al.	
	Examiner Name	Unknown	
	Group / Art Unit	2731	
TOTAL AMOUNT OF PAYMENT (\$)	1,490 <sup>00</sup>	Attorney Docket No.	ALCA1100-6

<b>METHOD OF PAYMENT (check one)</b>  1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number <u>50-0456</u> Deposit Account Name <u>Gray Cary Ware &amp; Freidenrich LLP</u> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other	<b>FEE CALCULATION (continued)</b>  <b>3. ADDITIONAL FEES</b> <table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105 130</td><td>205 65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr><tr><td>127 50</td><td>227 25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>139 130</td><td>139 130</td><td>Non-English specification</td><td></td></tr><tr><td>147 2,520</td><td>147 2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>112 920*</td><td>112 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113 1,840*</td><td>113 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115 110</td><td>215 55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116 380</td><td>216 190</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117 870</td><td>217 435</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118 1,360</td><td>218 680</td><td>Extension for reply within fourth month</td><td>1360</td></tr><tr><td>128 1,850</td><td>228 925</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119 300</td><td>219 150</td><td>Notice of Appeal</td><td></td></tr><tr><td>120 300</td><td>220 150</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121 260</td><td>221 130</td><td>Request for oral hearing</td><td></td></tr><tr><td>138 1,510</td><td>138 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140 110</td><td>240 55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141 1,210</td><td>241 605</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142 1,210</td><td>242 605</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143 430</td><td>243 215</td><td>Design issue fee</td><td></td></tr><tr><td>144 580</td><td>244 290</td><td>Plant issue fee</td><td></td></tr><tr><td>122 130</td><td>122 130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123 50</td><td>123 50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126 240</td><td>126 240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581 40</td><td>581 40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146 760</td><td>246 380</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149 760</td><td>249 380</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td colspan="3">Other fee (specify) _____</td><td></td></tr><tr><td colspan="3">Other fee (specify) _____</td><td></td></tr><tr><td colspan="3">* Reduced by Basic Filing Fee Paid</td><td></td></tr><tr><td colspan="3"><b>SUBTOTAL (3)</b></td><td>1490<sup>00</sup></td></tr></tbody></table>	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130	205 65	Surcharge - late filing fee or oath	130	127 50	227 25	Surcharge - late provisional filing fee or cover sheet.		139 130	139 130	Non-English specification		147 2,520	147 2,520	For filing a request for reexamination		112 920*	112 920*	Requesting publication of SIR prior to Examiner action		113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		115 110	215 55	Extension for reply within first month		116 380	216 190	Extension for reply within second month		117 870	217 435	Extension for reply within third month		118 1,360	218 680	Extension for reply within fourth month	1360	128 1,850	228 925	Extension for reply within fifth month		119 300	219 150	Notice of Appeal		120 300	220 150	Filing a brief in support of an appeal		121 260	221 130	Request for oral hearing		138 1,510	138 1,510	Petition to institute a public use proceeding		140 110	240 55	Petition to revive - unavoidable		141 1,210	241 605	Petition to revive - unintentional		142 1,210	242 605	Utility issue fee (or reissue)		143 430	243 215	Design issue fee		144 580	244 290	Plant issue fee		122 130	122 130	Petitions to the Commissioner		123 50	123 50	Petitions related to provisional applications		126 240	126 240	Submission of Information Disclosure Stmt		581 40	581 40	Recording each patent assignment per property (times number of properties)		146 760	246 380	Filing a submission after final rejection (37 CFR 1.129(a))		149 760	249 380	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify) _____				Other fee (specify) _____				* Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3)</b>			1490 <sup>00</sup>
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Steven R. Sprinkle	Reg. Number	40,825
Signature		Date	3-29-99
		Deposit Account User ID	50-0456

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.